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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Pramod K. Srivastava

Application No.: 09/090,754 Group Art Unit: 1642

Filed: June 4, 1998

Examiner: G. Bansal

For: COMPOSITIONS AND METHODS  
FOR THE PREVENTION AND  
TREATMENT OF PRIMARY AND  
METASTATIC NEOPLASTIC  
DISEASES AND INFECTIOUS  
DISEASES WITH HEAT  
SHOCK/STRESS PROTEINS

Attorney Docket No.: 8449-041

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DECLARATION UNDER 37 C.F.R. § 1.68 AND M.P.E.P. 608.01(p)

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

In accordance with 37 C.F.R. § 1.68 and M.P.E.P. 608.01(p), the undersigned Attorney representing the Applicant of the above-identified application declares as follows:

1. The following two references were each incorporated by reference into the specification of the above-identified application as filed at page 16, lines 19-21:

- a) Gething, et al., 1992 *Nature* 355:33-45; and
- b) Lindquist, et al., 1988, *Annu. Rev. Genetics* 22:631-677.

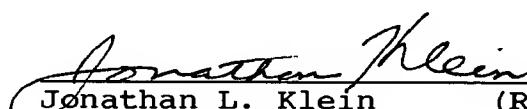
2. In a Preliminary Amendment filed concurrently herewith in connection with the above-identified application, certain text from each of these references has been included in the specification by amendment at page 16, line 25. More specifically the actual text of Table 1 at page 35 of Gething

*et al.* has been included in the specification. In addition, the actual text of the first two sentences below the heading "Saccharomyces cerevisiae" at page 642, lines 5-10 of Lindquist *et al.* has been included in the specification.

3. I hereby state that the amendatory material referred to in paragraph 2, above, which has been included in the specification at page 16, line 25, consists of the same material incorporated by reference in the application as filed at page 16, lines 19-21.

4. I declare further that all statements made in this Declaration of my own knowledge are true and that all statements made on information and belief are believed to be true and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: January 13, 1999

  
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